# REMARKS

Claims 1, 3-9, 11-18, 20-35, 37 and 39 are pending. No claims are amended. No claims have been added or cancelled. Accordingly, claims 1, 3-9, 11-18, 20-35, 37, and 39 remain pending. The applicant is hopeful that this matter can be resolved, or at least a framework for resolving it can be laid, before an appeal or a continuation is filed. Accordingly, in light of the following remarks, the applicant respectfully requests reconsideration and allowance of the pending claims.

Alternatively, it is requested that the office reconsider the pending claims on their merit and withdraw the "finality" of the October 10, 2001 rejection.

## 25 USC §103

Claims 1, 3, 6, 9, 13, 14, 16-18, 21-28, 31, 33-34, and 39 stand rejected under 35 USC §103 as being unpatentable over U.S. Patent No. 6,018,711 to French St. George et al. (hereafter referred to as "St. George") in view of U.S. Patent No. 5,774,841 to Salazar et al. (hereinafter referred to as "Salazar"). Applicant respectfully traverses this rejection.

As a preliminary matter, a previous response filed on July 18, 2001 discussed St. George in view of Salazar at length, and demonstrated the allowability of the pending claims over the cited references. Those arguments are not repeated herein, but are incorporated by reference. The office is urged to reconsider those arguments in light of the understanding gained from the following comments.

Claim 1 recites "a speech recognition engine to recognize an utterance" and "the speech recognition engine being configured to actively listen for the utterance for a predetermined response time".

In addressing this recited feature, the action on page 2 points to St. George's teaching in col. 6, lines 9-67 through col. 9, lines 1-9, to assert that St. George teaches the recited feature of claim 1. Applicant disagrees.

St. George teaches user interface for receiving speech input (i.e., signals, or samples) within an extendable window of time. These speech signals are not interpreted or recognized until *after* the window of time for receiving signals has closed. Specifically, St. George at col. 8, lines 24-30, explicitly states that only when the "recognition window is closed at $T=Tw$ the aggregated speech sample is sent for speech recognition". Thus, even though St. George's uses the words "recognition window", St. George at most teaches that audio signals are accepted during this window of time and not sent for actual speech recognition until after the time for receiving speech input has expired.

The applicant's specification clearly describes the meaning of "actively listen", as recited in claim 1. Specifically, the specification points out that "user interface 30 improves user interaction with the speech recognition system 20 by conveying to the user that the system is actively listening for a recognizable utterance or has heard and understood a recognizable utterance." An utterance cannot be recognizable or heard and understood until it has been interpreted. Because St. George teaches that speech samples are not interpreted until after a window of time for receiving speech input has expired, St. George does not teach or suggest "a speech recognition engine to recognize an utterance" and "the speech

recognition engine being configured to actively listen for the utterance for a predetermined response time", as recited by claim 1.

The action relies on Salazar primarily for the teaching of user feedback upon recognition of a spoken command. Thus, Salazar does not overcome the deficiencies of St. George. For this reason alone, the references of record, either singly or in combination do not teach or suggest the features of claim 1.

Additionally, claim 1 further recites "the speech recognition engine being configured to enter a dormant state if the utterance is not recognized within the predetermined amount of time".

In addressing this feature, the action on page 2 points to St. George's teaching that speech input is interpreted after a window of time for receiving speech signals has expired to conclude that the recited feature is taught by St. George. The applicant disagrees for the reasons already discussed. St. George does not interpret anything while speech input is being gathered. Rather, St. George at most teaches that as speech input is being gathered the time for input decreases (unless a user selects a reset button) and a balloon animation is changed.

For these reasons alone, the St. George does not teach or suggest the recited feature.

Moreover, after St. George's window of time for receiving input has expired (e.g., because a user has failed to press a reset button), the window is closed and any received input is sent "for speech recognition". Thus, St. George sends input speech signals to a speech interpreter after the window for receiving input has closed. A speech engine that in interpreting speech is not dormant or asleep. For these reasons, St. George does not teach or suggest anything like "the

speech recognition engine" entering any "dormant state if the utterance is not recognized within the predetermined amount of time", as applicant claims.

Salazar's visual feedback upon recognizing a command does not teach or suggest "the speech recognition engine being configured to enter a dormant state if the utterance is not recognized within the predetermined amount of time", as claim 1 recites.

For these additional reasons, the references of record, either singly or in combination do not teach or suggest the features of claim 1.

Additionally, claim 1 further recites "the speech recognition system remaining in the dormant state until recognition of a starter word that is independent of the utterance".

The action on page 5 admits that St. George in view of Salazar does not teach or suggest "...sleep mode...awakened to an active mode upon detection of a starter utterance". The words used in the action's concession are not exactly what are recited in the above feature of claim 1. Yet, the action does not point out how the references, which concededly do not teach or suggest "...sleep mode...awakened to an active mode upon detection of a starter utterance", teach or suggest "the speech recognition system remaining in the dormant state until recognition of a starter word that is independent of the utterance", as applicant claims. The applicant respectfully submits that nowhere do the references of record teach or suggest this feature.

For this additional reason, the references of record, either singly or in combination do not teach or suggest the features of claim 1. If these features of claim 1 are again rejected on the same basis, the applicant respectfully requests the office to point out where the references of record teach or suggest this feature.

Moreover, claim 1 further recites "a user interface to [...] display a countdown graphic that changes with lapsing of the predetermined response time" and "restart the countdown graphic in the event the speech recognition engine recognizes the utterance."

The action on page 3 concedes that neither St. George nor Salazar teach or suggest this recited feature. Even in view of this lack of teaching, however, the action concludes that it would have been obvious to further modify the primary and secondary references because such a modification would "continually grant the user maximum response time for generating an utterance to be recognized". Applicant disagrees.

For the reasons already discussed, St. George explicitly teaches that no speech is interpreted until after the window of time for receiving verbal signals has expired. Thus, St. George's system may not interpret any voice signal until after the window for receiving input has closed. Additionally, St. George teaches that a user resets the window of time for receiving speech input by providing tactile input such as a user button or key press. Nowhere does St. George teach or suggest "restart the countdown graphic in the event the speech recognition engine recognizes the utterance", as applicant claims.

Salazar's teaching of visual or audio feedback in response to the receipt of voice input does not cure this deficiency of St. George. Thus, to provide this missing feature of claim 1, the action seemingly relies on personal knowledge of the office without pointing to any specific reference.

"When a rejection in an application is based on facts within the personal knowledge of an employee of the office, the data shall be as specific as possible, and the reference must be supported, when called for by the applicant, by the

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affidavit of such employee, and such affidavit shall be subject to contradiction or explanation by the affidavits of the applicant and other persons." 37 CFR §1.104(d)(2). If this rejection is maintained on a similar basis in a subsequent action, the applicant respectfully requests the examiner to supply such an affidavit to support this modification to the primary reference in view of the secondary reference.

For each of the above reasons, the references of record, either singly or in combination do not teach or suggest the features of claim 1.

Accordingly, the 35 USC §103 rejection of claim 1 should be withdrawn.

**Claims 3 and 6** depend from claim 1 and are patentably distinguished over the references of record by virtue of this dependency.

Accordingly, the 35 USC §103 rejection of claims 3 and 6 should be withdrawn.

**Claim 9 recites:**

> "[...] a grammar that holds a subset of the utterances in the vocabulary;
> a speech recognition engine to recognize the utterances in the grammar within a predetermined response time, the speech recognition engine being configured to enter a dormant state if the utterances are not recognized within the predetermined response of time; and
> a user interface to display a countdown graphic that changes with lapsing of the response time, wherein the user interface restarts the countdown graphic in the event the speech recognition engine recognizes the one of the utterances."

For the reasons discussed above in reference to claim 1, the references of record, either singly or in combination, do not teach or suggest the various features of claim 9.

Accordingly, the 35 USC §103 rejection of claim 9 should be withdrawn.

**Claims 13, 14, 16, and 17** depend from claim 9 and are patentably distinguished over the references of record by virtue of this dependency.

Accordingly, the 35 USC §103 rejection of claims 13, 14, 16, and 17 should be withdrawn.

**Claim 18** recites:

> *"[...] a graphic progress bar shown on the display that indicates a response time in which the speech recognition system is awaiting a user to speak, the progress bar shortening with passage of the response time, wherein the graphic progress bar is lengthened to its initial position after each recognized user input, wherein the user interface plays an audible sound when the speech recognition engine recognizes one of the utterances within the predetermined response time, and wherein the user interface indicates that the speech recognition engine is in a dormant state when at least one of the utterances is not recognized within the predetermined response of time."*

For the reasons already discussed, the references of record, either singly or in combination, do not teach or suggest these features of claim 18.

Accordingly, the 35 USC §103 rejection of claim 18 should be withdrawn.

**Claims 21 and 22** depend from claim 18 and are patentably distinguished over the references of record by virtue of this dependency.

Accordingly, the 35 USC §103 rejection of claims 21 and 22 should be withdrawn.

**Claim 23** recites:

*"[...] a graphic shown on the display that indicates a fixed response time in which the speech recognition system is awaiting receipt of an utterance via the audio input, the graphic diminishing in size with the passage of time, the graphic returning to an original size after each recognized utterance; and*

*an audio generator to emit a first audible sound when the speech recognition system recognizes the utterance, the audio generator being further configured to emit a second audible sound when the fixed response time has expired before the utterance has been recognized, the second sound indicating that the speech recognition system has entered a dormant state."*

For the reasons already discussed, the references of record, either singly or in combination, do not teach or suggest these features of claim 23.

Accordingly, the 35 USC §103 rejection of claim 23 should be withdrawn.

**Claims 24-26** depend from claim 23 and are patentably distinguished over the references of record by virtue of this dependency.

Accordingly, the 35 USC §103 rejection of claims 24-26 should be withdrawn.

**Claim 27** recites:
*"A vehicle computer system comprising:*
*a computer;*
*an open platform operating system executing on the computer, the operating system being configured to support multiple applications; and*

*a speech recognition system to detect utterances used to control at least one of the applications running on the computer, the speech recognition system having a user interface to provide visual and auditory feedback indicating whether an utterance is recognized, the user interface being configured to play a first audible sound indicating recognition of the utterance and to display a graphic that diminishes in size from an original size with the passage of time, the graphic returning to the original size after each recognized utterance, the user interface being further configured to emit a second audible sound when a predetermined response time has expired before the utterance has been recognized, the second sound indicating that the speech recognition system has entered a dormant state."*

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For the reasons already discussed, the references of record, either singly or in combination, do not teach or suggest these features. Accordingly, for these reasons alone, the 35 USC §103 rejection of claim 27 should be withdrawn.

Moreover, claim 27 recites "the computer", which is "[a] vehicle computer system". The references of record are completely silent with respect to this feature. If this claim is again rejected with respect to these references, the applicant respectfully requests for the action to point out where this feature is taught or suggested.

Accordingly, for this additional reason, the 35 USC §103 rejection of claim 27 should be withdrawn.

**Claims 28 and 31** depend from claim 27 and are patentably distinguished over the references of record by virtue of this dependency.

Accordingly, the 35 USC §103 rejection of claims 28 and 31 should be withdrawn.

**Claim 33** recites:

*"A collaboration system involving multiple interconnected devices comprising:*

*a voice input mechanism resident at each of the devices;*

*an audio output system resident at each of the devices; and*

*a user interface to provide visual and auditory feedback indicating when a party located at one of the devices can speak, the user interface being configured to play an audible sound when the party can begin speaking and to display a graphic that changes with lapsing of time to indicate a duration that the party can speak, the graphic diminishing in size from an original size with the passage of time, the graphic returning to the original size after each recognized utterance, wherein the user interface plays an audible sound upon recognizing an utterance within the duration that the party can speak, the user interface emitting a second audible sound when the duration has expired before the utterance has been recognized, the second sound indicating that the speech recognition system has entered a dormant state."*

For the reasons already discussed, the references of record, either singly or in combination, do not teach or suggest these features. Accordingly, for these reasons alone, the 35 USC §103 rejection of claim 33 should be withdrawn.

Moreover, claim 27 recites "the devices", which are part of "[a] collaboration system". The references of record are completely silent with respect to this feature. If this claim is again rejected with respect to these references, the applicant respectfully requests for the action to point out where this feature is taught or suggested.

Accordingly, for this additional reason, the 35 USC §103 rejection of claim 33 should be withdrawn.

Claim 34 recites:

"changing the graphic to indicate passage of the response time such that the graphic diminishes in size from an original size with the passage of time", and

"responsive to recognizing an utterance, presenting the graphic in the original size".

For the reasons discussed above in reference to claim 1, the references of record, either singly or in combination, do not teach or suggest this feature of claim 34.

Additionally, claim 34 recites "responsive to expiration of the response time before the audible utterance has been recognized, emitting a second sound to indicate that the speech recognition system has entered a dormant state." For the reasons discussed above in reference to claim 1, the references of record, either singly or in combination, do not teach or suggest this feature of claim 34.

Moreover, nowhere do the references of record teach "playing a first sound when an audible utterance is recognized" and "emitting a second sound to indicate that the speech recognition system has entered a dormant state." If this feature is again rejected, the applicant respectfully requests for the office to point out where this feature is taught or suggested in the references.

Accordingly, for each of these reasons, the 35 USC §103 rejection of claim 34 should be withdrawn.

**Claim 39** depends from claim 34 and is allowable over the references of record by virtue of this dependency. Accordingly, the 35 USC §103 rejection of claim 39 should be withdrawn.

Claims 4-5, 7-8, 11-12, 15, 20, 29-30, 32, 35, and 37 stand rejected under 35 USC §103(a) as being unpatentable over St. George in view of Salazar as applied to claims 1, 9, 18, 23, 27, and 34, and further in view of U.S. Patent No.

6,075,534 to VanBuskirk et al. (hereinafter referred to as "VanBuskirk").
Applicant respectfully traverses this rejection.

**Claims 4, 11, 20, 29, and 37** depend from one of claims 1, 9, 18, 27, or 34. For the respective reasons discussed above, in reference to claims 1, 9, 18, 27, and 34, dependent claims 4, 11, 20, 29, and 37—by virtue of their respective dependency on an allowable base claim, are allowable over St. George in view of Salazar.

In addressing these claims, the action on page 4 concedes that neither St. George nor Salazar teach or suggest "..interface displays visual elements in a first color..." Instead, the action relies on VanBuskirk's teaching of a status bar that changes color to represent volume level of dictated speech to conclude it would have been obvious to modify St. George in view of Salazar to incorporate the status bar of VanBuskirk to provide a user with an additional option to monitor input response time. Even if this were true, however, VanBuskirk's status bar does not cure the above-discussed deficiencies of St. George in view of Salazar.

For these reasons, the cited combination does not teach or suggest the features of claims 4, 11, 20, 29, and 37.

Accordingly, the 35 USC §103 rejection of claims 4, 11, 20, 29, and 37 should be withdrawn.

**Claims 5, 12, 30, and 35** depend from one of claims 1, 9, 18, 27, or 34. For the respective reasons discussed above, in reference to claims 1, 9, 18, 27, and 34, dependent claims 5, 12, 30, and 35—by virtue of their respective dependency on an allowable base claim, are allowable over St. George in view of Salazar.

Additionally, in addressing these claims, the action on page 5 admits that neither St. George nor Salazar teach or suggest "countdown bar comprises a

progress bar". Instead, the Office relies on VanBuskirk's status bar that graphically represents change in volume level of dictated speech to conclude it would have been obvious to modify St. George in view of Salazar to incorporate the status bar of VanBuskirk to provide a user with an additional option to monitor input response time. Even if this were true, however, for the reasons already discussed VanBuskirk's status bar does not cure the above-discussed deficiencies of St. George in view of Salazar. Therefore, the cited combination does not teach or suggest the features of claims 5, 12, 30, and 35.

Accordingly, the 35 USC §103 rejection of claims 5, 12, 30, and 35 should be withdrawn.

**Claims 7, 15, and 32** depend from one of claims 1, 9, or 27. For the respective reasons discussed above, in reference to claims 1, 9, and 27, dependent claims 7, 15, and 32—by virtue of their respective dependency on an allowable base claim, are allowable over St. George in view of Salazar.

In addressing these claims, the action concedes that neither St. George nor Salazar teach or suggest "a sleep mode and is awakened to an active mode upon detection of a starter utterance", as respectively recited by these claims. Instead, the action relies on VanBuskirk's status bar (indicating that a system is not active and can be awakened with a proper voice command or by manual means) to conclude that the features of these claims are obvious in view of the cited combination. However, VanBuskirk's status bar does not cure the above-discussed deficiencies of St. George in view of Salazar. Therefore, the cited combination does not teach or suggest the features of claims 7, 15, and 32.

Accordingly, the 35 USC §103 rejection of claims 7, 15, and 32 should be withdrawn.

**Claim 8** depends from claim 1 and for the reasons discussed above is allowable over St. George in view of Salazar by virtue of this dependency.

In addressing this claim, the action admits that St. George in view of Salazar does not teach or suggest the features of claim 8. Instead, the Office relies on VanBuskirk' teaching of status information to indicate that a system is in a sleep mode that can be activated responsive to a command (or manual means) to conclude that the features of claim 8 are obvious. Applicant disagrees.

VanBuskirk's status information and sleep mode that may be activated by a command (or manual means) does not cure the above-discussed deficiencies of St. George in view of Salazar. Therefore, the cited combination does not teach or suggest the features of claim 8.

Accordingly, the 35 USC §103 rejection of claim 8 should be withdrawn.

## Conclusion

Applicant respectfully submits that all pending claims are in condition for allowance and action to that end is requested. Short of allowance, a withdrawal of finality is urgently requested. If any questions remain that prevent issuance of this application, the office is invited to contact the undersigned attorney.

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Respectfully Submitted,

Dated: _11/20/2001_     By: _____

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